

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
MEETING AGENDA
MARCH 24, 2010**

BOARD AGENDA PACKETS AND INFORMATION:

Complete Board meeting packets are available for review at the Administration Building, the District's six high schools, and at public libraries throughout West County.

Complete Board agendas and packets are available online at: www.wccusd.net/Documents/Board/boardinformation.aspx

Any writings or documents that are public records and are provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District office located at 1108 Bissell Avenue, Richmond, CA 94801 during normal business hours. In addition, such writings and documents may be posted on the District's website as noted above.

VIEWING THE BOARD MEETINGS:

Television:

Live television broadcast of regularly scheduled Board meetings is available by the City of Pinole on PCTV Channel 26/28, the City of Richmond KCRT Channel 28 and the City of Hercules Cable Channel 28. Please check the city websites for local listings of broadcast schedules.

You may also find the complete meeting available on a tape-delay basis through the Richmond City Web Page at: <http://www.kcrt.com> within a few days of the recording date.

Audio tapes of Board meetings are kept on file at the Administration Building, 1108 Bissell Avenue, Richmond, CA 94801 (510-231-1101).

The Board of Education would like to acknowledge Comcast, the cities of Pinole and Richmond, and WCCUSD staff for their generosity and efforts in helping to televise WCCUSD Board of Education meetings.

ATTENDING BOARD MEETINGS:

The public is warmly invited to attend and participate in all WCCUSD Board of Education meetings.

Location: **LOVONYA DEJEAN MIDDLE SCHOOL
3400 MACDONALD AVENUE
RICHMOND, CA 94805**

Time: The **Board of Education's Open Session meeting will begin at 6:30 PM.** The Board will convene at **5:00 PM** in the Multi-Purpose Room to receive comments from anyone wishing to address the Board regarding closed session items (Exhibit A). The Board will then adjourn to closed session and reconvene in open session to address the regular agenda (Exhibits B-G) at 6:30 PM.

Special Accommodations: Upon written request to the District, disability-related modifications or accommodations, including auxiliary aids or services, will be provided. Please contact the Superintendent's Office at 510-231-1101 at least 48 hours in advance of meetings.

"of children be more careful than anything."
e.e. cummings

B. OPENING PROCEDURES

- B.1 Pledge of Allegiance**
- B.2 Welcome and Meeting Procedures**
- B.3 Roll Call**
- B.4 Presentation of Student Board Representative Matthew Arciniega, Youth Commission Member**

Comment:

Student Board Representative Matthew Arciniega will be representing the Youth Commission at the Board of Education meeting on March 24, 2010. We would like to recognize and commend his participation.

Recommendation:

For Information Only

Fiscal:

None

- B.5 Report/Ratification of Closed Session**
- * **B.6 Agenda Review and Adoption (Public Comment)**
- * **B.7 Minutes: March 3, 2010**

C. BUSINESS ITEMS

CONSENT ITEMS (Routine Matters)

Consent Calendar Items designated by “CI” are considered routine and will be enacted, approved and adopted by one motion, unless a request for removal, discussion or explanation is received from any Board member or member of the public in attendance. Items the Board pulls for discussion or explanation will be addressed following Section E.

***CI C.1 Grants/Awards/Agreements**

Comment:

Formal acceptance is requested from the Board of Education to accept the grants/awards/agreements, as detailed dated March 24, 2010.

Recommendation:

Recommend Approval

Fiscal Impact:

As noted per grants summary

***CI C.2 Acceptance of Donations**

Comment:

The District has received donations as summarized dated March 24, 2010. Staff recommends acceptance of these donations.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per donations summary

***CI C.3 Approval of Fund-Raising Activities**

Comment:
The planned fund-raising events for the 2009-10 school year are summarized as dated March 24, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
Additional revenue for schools

***CI C.4 Contracted Services**

Comment:
Permission is requested of the Board of Education to approve contracts for services as detailed dated March 24, 2010.

Recommendation:
Recommend Approval

Fiscal Impact:
As noted per contracts summary

***CI C.5 Summary of Payroll and Vendor Warrant Reports**

Comment:
The summaries of Payroll and Vendor Warrants issued during the month of February, 2010 are presented.

Total of payroll warrants:	\$ 8,940,790
Total of vendor warrants:	19,633,808

Recommendation:
Approval of the payroll and vendor warrant reports

Fiscal Impact:
As noted

***CI C.6 Master Contracts for Nonpublic, Nonsectarian School/Agency Services**

Comment:
On June 24, 2009 the Board of Education approved for \$7,500,000.00 Master Contracts for nonpublic, nonsectarian school/agency services for the 2009/2010 School Year.

Permission is requested of the Board of Education to approve the Master Contracts with the additional named agencies for nonpublic, nonsectarian school/agency services for the period of March 25, 2010 through June 30, 2010.

Non Public School/Agency's

The Devereux Foundation
5850 T.G. Lee Boulevard, Suite 400
Orlando, FL 32822

CARD Center for Autism and Related Disorders
1942 University Avenue, Suite 206
Berkeley, CA 94704

Recommendation:
Recommend Approval

Fiscal Impact:
\$13,200.00* - Non-LCI

***CI C.7 Resolution No. 79-0910: Directing Preparation of Annual Report - MRAD**

Comment:

In order to make a determination of improvements and any substantial changes proposed to be made to the existing improvements of the District's public recreational facilities, a resolution directing preparation of an annual engineering report is required, including a list of schools for which the improvements will be made during the fiscal year 2010-11.

Staff recommends approval of this resolution for purposes of the Maintenance Recreation and Assessment District in accordance with Sections 22565 et seq., of the Landscaping and Lighting Act of 1972, (Streets and Highways Code Section 22565 et seq.). Once the report has been completed, it will be presented to the Board for preliminary approval.

Recommendation:
Recommend approval of this resolution for MRAD

Fiscal Impact:
Revenue for MRAD Fund

***CI C.8 Notification of Claims Rejected**

Comment:

The District has received claims requesting compensation for personal injury. The District's risk management firm has investigated the claims and is requesting the School Board to ratify the authorized claim rejections.

Recommendation:
Ratify the rejection of claims

Fiscal Impact:
Self-Insurance Program

***CI C.9 Routine Personnel Changes – Classified**

Comment:
Routine personnel changes include actions to hire, promote, or terminate classified employees in accord with appropriate laws, established policies and procedures.

Recommendation:
For Information Only

Fiscal Impact:
None

***CI C.10 Routine Personnel Changes - Certificated**

Comment:
Routine personnel changes include actions to hire, promote, or terminate certificated employees in accord with appropriate laws, established policies and procedures.

Recommendation:
For Information Only

Fiscal Impact:
None

***CI C.11 Certificated Personnel Changes**

Comment:
Routine personnel changes include actions to hire, promote, or terminate certificated employees in accord with appropriate laws, established policies and procedures.

Recommendation:
Recommend Approval

Fiscal Impact:
None

***CI C.12 Approval of Sabbatical Leave Requests for 2010-2011**

Comment:
The District and UTR have a negotiated agreement for the District to provide ten Sabbatical Leaves each year. The leaves can be taken for purposes of formal study, travel, or independent study. Teachers on leave will receive 50% of their annual salary and health and welfare coverage pursuant to contract. Each request for leave is set forth as detailed.

Recommendation:

Recommend Approval

Fiscal Impact:

\$121,747.00 - including salary and health benefits

- *CI C.13 Approve Job Descriptions:**
Glazier
Mailroom Technician/Delivery Worker
Warehouse Worker/Driver
Senior Warehouse Worker

Comment:

The revised job descriptions for the Glazier, Mailroom Technician/Delivery Worker, Warehouse Worker/Driver and Senior Warehouse Worker are provided. These job descriptions have been approved by Local One.

Recommendation:

Recommend Approval

Fiscal Impact:

None

- *CI C.14 Approval of School Calendar for 2011-2012**

Comment:

All four labor groups (Local One, SSA, UTR and WCCAA) met and conferred about the school calendar. The proposed calendar for 2011-2012 is provided.

Recommendation:

Recommend Approval

Fiscal Impact:

None

- *CI C.15 Approval of Additional Program Management General Conditions Reimbursable Expenses**

Comment:

The District has retained Seville Group (SGI) as the Program Manager for the Bond Program. A portion of the Program Management contract for the firm is known as General Conditions Reimbursable Expenses (“GCR’s”). These are costs which the District has negotiated as a part of the contract for which the firm bills direct expense plus markup. GCR’s include computer hardware/software expenses, office equipment, legal advertisements, postage, security, office supplies, and telephone/fax expense. These types of costs also include personnel such as the Facilities Operations Center Receptionist, Network Administrator, and one Fiscal Controls Specialist. In addition, these costs include Cost Estimating and Scheduling for the District’s projects and the overall program.

Additional services related to more intensive cost estimating and scheduling have been requested by the District and the costs for these services are included in this action.

Recommendation:

Approve additional Program Management General Conditions Reimbursable Expenses for Seville Group, Inc.

Fiscal Impact:

Total for this action: \$535,448. Funding from the Measure J Bond. Program Management General Conditions Reimbursable Expenses.

***CI C.16 Citizens' Bond Oversight Committee (CBOC) New Appointment and Reappointments**

Comment:

The City of San Pablo has appointed Ms. Cecilia Valdez to replace Mr. Leonard McNeil on the Citizens' Bond Oversight Committee.

Two current CBOC members' first terms have ended: Alex Gomez (representing Business Organization – Superintendent's appointment) and Don Gosney (representing Board of Trustee – Ms. Kronenberg's appointment). Staff is seeking approval for Mr. Gosney and Mr. Gomez to serve a second term on the CBOC.

Recommendation:

Approve appointment and reappointments to the CBOC.

Fiscal Impact:

None

***CI C.17 Ratification and Approval of Engineering Services Contracts**

Comment:

Contracts have been initiated by staff using previously qualified consulting, engineering, architectural, or landscape architectural firms to assist in completion of the referenced projects. Many of the firms are already under contract and the staff-initiated work may be an extension of the firm's existing contract with the District. Public contracting laws have been followed in initially qualifying and selecting these professionals.

Recommendation:

Ratify and approve contracts as noted

Fiscal Impact:

Total for this action: \$250,678. Funding sources as noted

***CI C.18 Ratification and Approval of Negotiated Change Orders**

Comment:

Staff is seeking ratification of Change Orders on the following current District construction projects: Ford Elementary New School, Richmond HS New Bleacher & Field House, Coronado Elementary Doors and Hardware Replacement, Helms Middle School New Construction, and Kennedy HS

Restroom Improvements. Change Orders are fully executed by the District upon signature by the Superintendent's designee. Board ratification is the final step required under state law in order to complete payment and contract adjustment.

Recommendation:

Ratify negotiated Change Orders as noted.

Fiscal Impact:

Total ratification and approval by this action: \$186,005.48

***CI C.19 Approval of Board Members to Attend Conference**

Comment:

Board Bylaw 9250 stipulates members of the Board shall be reimbursed for allowable expenses incurred in attending any meetings or in making any trips on official business of the school district when so authorized in advance by the Board of Education. (Education Code 35044).

Board members Madeline Kronenberg and Charles Ramsey will attend the 70th Annual National School Boards Association (NSBA) Conference to be held April 10 - 12 in Chicago.

Funds for Board travel and conference are budgeted and there is sufficient funding within that budget.

Recommendation:

That the Board authorize members Madeline Kronenberg and Charles Ramsey to attend the NSBA Conference.

Fiscal Impact:

General Fund, approximately \$3730.00.

***CI C.20 Resolution No. 77-0910: Day of Recognition for César Chávez March 31, 2010**

Comment:

This resolution is in recognition of César Chávez for his great leadership in bringing social justice to California's migrant farm workers, providing a model of solving problems through non-violent, democratic actions and a life of service to others.

Recommendation:

For Information Only

Fiscal Impact:

None

D. AWARDS, RECOGNITIONS, AND REPORTS

* **D.1 Recognition of 2009 – 2010 District Spelling Bee Winners**

Comment:

The annual District wide Spelling Bee was held on March 10, 2010 at Pinole Middle School. The first place winner was Monica Slaton, a 7th grade student from DeJean Middle School. Second place went to Maya Garriga, 8th grade student from Portola Middle School and third place went to Janine Menor, 7th grade student from Hercules Middle School. All three students will participate in the county wide spelling bee that will take place on March 26, 2010 in Walnut Creek.

Recommendation:

For Recognition Only

Fiscal Impact:

None

* **D.2 Tribute to César Chávez**

Comment:

We will celebrate César Chávez for his great leadership in bringing social justice to California's migrant farm workers, providing a model of solving problems through non-violent, democratic actions and a life of service to others through student presentations from Washington Elementary, Pinole Valley High School, and Richmond High School.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.3 Recognition of the El Cerrito High School Athletic Staff and Supporters**

Comment:

We would like to recognize and commend the El Cerrito High School Athletic Staff and supporters and first responders from Contra Costa County for their extraordinary actions and efforts in response to injured student, David Gurganious.

Recommendation:

For Recognition Only

Fiscal Impact:

None

* **D.4 Report on Student Demographics**

Comment:

Davis Demographics has completed the 2009-10 Student Population Projection Report. The report provides projected student demographics for the District from school years 2010-11 to 2019-20.

Staff will present a preliminary report of student demographics by high school attendance area.

Recommendation:

For Information Only

Fiscal Impact:

None

* **D.5 Standing Reports**

Representatives of the following committees and employee unions are invited to provide a brief update to the Board. Representatives from these groups need to sign up to speak prior to the beginning of this item on the agenda by submitting a “Request to Address the Board” form. Five minutes may be allowed for each subcommittee or group listed below:

Academic Subcommittee	Public Employees Local 1
Bayside Parent Teacher Association	School Supervisors Association
Citizens’ Bond Oversight Committee	United Teachers of Richmond
Community Budget Advisory Committee	West Contra Costa Administrators Association
Facilities Subcommittee	
Ivy League Connection	
Safety Committee	
Special Education Citizens Advisory Committee	
Youth Commission	

* **D.6 In Memory of Members of the School Community**

Comment:

The District would like to take time to recognize the contributions of members of our school community who have passed away. The District requests the community to submit names to be reported as a regular part of each agenda.

Marlene Aguirre, a Richmond High School student, was tragically killed on February 26, 2010 at the age of 17. In her short life she loved the arts, literature, was an avid writer, and enjoyed helping others.

Ruth Williams joined the PTA at Riverside School in 1952 and became a volunteer noon supervisor and classroom aide in the early 1970s. She enjoyed being able to help students learn to read and taking photographs and became known as the Picture Lady. Ms. Williams passed away February 27, 2010 at the age of 91.

Mary Tom Coe began working for the District in 1962 as secretary to the superintendent, and worked as a staff secretary from 1965 until her retirement in 1983. Ms. Coe was a member of the Retired Teachers

Association as well as a volunteer and friend to the Richmond Museum and the El Sobrante Library. Ms. Coe passed away on March 7, 2010 at the age of 92.

Vera Crosby began employment with the District in 1944. She retired in 1975 as a counselor from DeAnza High School. Ms. Crosby passed away recently.

Our thoughts go out to the family and friends in the loss of their loved one.

Recommendation:
For Information Only

Fiscal Impact:
None

E. PUBLIC AND COMMITTEE COMMUNICATIONS
(Education Code 35145.5; Government Code 54950 et seq.)

- * **E.1 Superintendent’s Report**
- * **E.2 WCCUSD Public Comment**

Members of the public are invited to speak to the Board about any matter that is not otherwise on the agenda and is related to issues affecting public education in the WCCUSD. **Approximately 30 minutes will be allocated for this item.** If there are more requests to speak than can be heard within this time limit, “WCCUSD Public Comment” will continue after Item G. Individuals wishing to speak must submit a “WCCUSD Public Comment” form prior to the beginning of this item on the agenda.

Depending on the number of persons who wish to speak, from one to three minutes will be allocated to each speaker at the discretion of the President of the Board in order to accommodate as many speakers as possible. The Board cannot dialogue on any issues brought before it by the public that have not been previously agendaized, but may refer these to staff for response and/or placement on future agendas.

F. ACTION ITEMS

- * **F.1 Resolution No. 78-0910: In Support of the Local Control of Local Classrooms Funding Act**

Comment:
Californians for Improved School Funding, an organization of concerned educators and citizens, is seeking signatures to qualify a statewide initiative, the Local Control of Local Classrooms Funding Act (the “Act”), for the November, 2010 ballot. The Act would amend the California Constitution so that parcel tax measures for local school districts can be approved by 55 percent of the qualified electors.

Recommendation:
Recommend Approval

Fiscal Impact:
None

* **F.2 Budget Development 2010-11 and K-3 Class Size Reduction**

Comment:

The Second Interim Report, for the period ending January 31, 2010, included a multi-year projection with a \$9.4 million deficit in the 2010-11 school year due to cuts in State funding as of the Governor's January budget. The Board has been diligent in planning for a balanced budget including holding a special study session on March 15. Based upon the direction of the Board at the March 15 study session, staff has revised the strategy for tackling the budget deficit by transferring the \$2.0 million previously set aside in reserve within the Deferred Maintenance fund and using it toward keeping class sizes low in the District. The District will be using Parcel Tax funding, one-time Federal Funding and the Tier III State Flexibility for Deferred Maintenance fund for the Class Size Reduction Program in 2010-11. Using this strategy allows the District to continue to offer the class size reduction program currently in place for the 2009-10 school year and brings the budget into balance assuming the January Governor's Budget plan remains intact. This will also permit staff to rescind lay-off notices to teachers related to the K-3 Class Size Reduction program.

While working toward a balanced budget it is important to realize that the May revision of the Governor's budget may bring additional cuts to our District. It is also important to note that many of the financial strategies used to address the State cuts are one-time and/or short term in nature.

Recommendation:

Approve budget plan for K-3 Class Size Reduction and Transfer of Deferred Maintenance Tier III fund balance.

Fiscal Impact:

\$2.0 million transfer from Deferred Maintenance to Special Reserve in 2009-10. Transfer from Special Reserve to Unrestricted General Fund for use in 2010-11 for the purpose of Class Size Reduction program.

G. DISCUSSION ITEMS

* **G.1 Designation of Persistently Lowest Achieving Schools**

Comment:

On March 11, the State Board of Education approved the list of 'persistently lowest achieving schools' in California. The designation comes from the State's application for federal Race to the Top (RTTT) funds. While California was not selected to receive RTTT funding, the requirement remains to label the schools. Three West Contra Costa Schools were designated, Lincoln Elementary, Helms Middle and DeAnza High School. District staff will review the criteria that the California Department of Education used in designating the schools as well as the requirements for the federal "School Improvement Grants" for which the District is eligible to apply and the intervention models required by California statute to implement.

Recommendation:

That the Board review and discuss the schools labeled as 'persistently lowest achieving schools' in West Contra Costa Unified.

Fiscal Impact:

Unknown at this time

H. UNFINISHED REQUESTS TO ADDRESS THE BOARD (continued from Item E)

I. COMMENTS OF THE BOARD OF EDUCATION AND SUPERINTENDENT

J. THE NEXT SCHEDULED BOARD OF EDUCATION MEETING

Lovonya DeJean Middle School – April 14, 2010

K. ADJOURNMENT

At 10:00 PM, any items remaining on the agenda that require immediate attention will be moved to this time. All other items will be tabled to another or the following Board meeting in order to make fair and attentive decisions. The meeting will adjourn at 10:30 PM. The meeting may be extended by a majority vote of the Board of Education.

The public may address items which are marked with an asterisk (*).

A. CLOSED SESSION

A.1 CALL TO ORDER

A.2 DISCLOSURE OF ITEMS TO BE DISCUSSED IN CLOSED SESSION
(Government Code 54957.7)

A.3 RECESS TO CLOSED SESSION AS SCHEDULED

See Exhibit A

(Government Code Section 54954.5)

The **Open Session** will resume at the end of the **Closed Session** in the Multi-Purpose Room at approximately **6:30 PM**.

EXHIBIT A

(Government Code Section 54954.5)

CLOSED SESSION AGENDA

March 24, 2010

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
[Government Code Section 54956.9(a)]

1. Srago v. WCCUSD
2. Ray L. v. WCCUSD

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION
[Government Code Section 54956.9(b)]

Four cases

4. LIABILITY CLAIMS (Government Code Section 54956.95)

5. CONFERENCE WITH LABOR NEGOTIATORS

- a. Superintendent/Dr. Bruce Harter
- b. Employee Organizations
 - UTR
 - Local One
 - School Supervisors Association
 - WCCAA

- c. Unrepresented Employees
 - Confidential and Management

6. PUBLIC EMPLOYEE APPOINTMENT

- a. Administrative Appointments for Extended Learning 2009-2010

7. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code Section 54957)

8. STUDENT DISCIPLINE (Education Code Section 35146)

- a. Expulsions

**9. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/COMPLAINT
(Government Code Section 54957)**

10. REPORT OF CLOSED SESSION ACTIONS